RRR
ROTHBARD-ROCKWELL REPORT
DECEMBER 1991 VOLUME II, NUMBER 12

The Great Thomas & Hill Show: Stopping the Monstrous Regiment

by Murray N. Rothbard

Let it be said: I was never a Thomas enthusiast. I am no fan of affirmative action in any sense. I do not believe in ethnic or racial seats on the Supreme Court, and I can only scoff at the patent Bushian lie that race played no role in Clarence Thomas' selection, or that he was the best qualified person in the nation for the job. Neither am I impressed with the depth of Thomas' juristic insight or with the consistency of whatever of his principles have not been shredded during the confirmation "process." Even at best, Thomas was never any sort of libertarian or Randian; at most, Thomas was a Jaffaite, his "control" and theoretician being a Japanese-American Jaffaite aide. To the uninitiated in the mysteries of modern conservatism, Harry Jaffa is the leader of the Western Straussians—in contrast to the Eastern Straussians—both groups ardent and abject disciples of the late Professor Leo Strauss. The Straussians (who include "prince" William Kristol, son of Irving, chief aide and "theoretician" to our beloved Vice President, Dan Quayle) provide whatever intellectual patina the neoconservatives may possess. In contrast to Eastern Straussians (*e.g.* Allan Bloom, Walter Berns), the Jaffaites believe in natural rights. That's the good news. The bad news is that prominent among these alleged rights is "equality," egalitarianism, a concept illegitimately grafted onto the Jeffersonian doctrine of natural rights of person and property. To Professor Jaffa, Abraham Lincoln and 'Dr." Martin Luther King constitute the modern incarnation and fulfillment of Lockean natural rights. In short, "civil rights" are encouraged to ride roughshod over property rights. Whatever this is, it is leagues away from the rights set forth by John

(Cont. page 3, col. 2)

Let it be said: I was never a Thomas enthusiast. I am no fan of affirmative action.

THE EAR

by Sarah Barton

For the first time in her life, Jane Fonda, no less, is in hot water for doing something Politically Incorrect. Sitting with her current flame Ted Turner at the playoff game, and watching his team, the heroic Atlanta Braves, Jane, along with the other Atlantans, exuberantly did the "Tomahawk chop." She's now in trouble for demeaning and denigrating the Injuns. For shame, Jane!

* * * * *

"Record Cold Snap Hits East and Midwest"-early November. OK, so maybe they'll shut up about "global warming" for a while.

(Cont. next page,col. 1)

INSIDE

The Great Thomas & Hill Show, by M.N.R. 1
Tips for Wannabees, by M.N.R.. 14
Mr. First Nighter, by M.N.R. 15
Kochtopus Bobbles Term Limits, by Joe Melton.....16
Dangerous Assault by Llewellyn H. Rockwell, Jr. 18
P.C. Watch, by L.H.R., Jr. 19

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

(THE EAR cont. from P.1)

* * * * *

According to a column by Bill Buckley, Henry Kissinger—while at a fancy globalist conference in London—said there were only three enemies of a continued warfare state: Pat Buchanan, Tom Fleming's *Chronicles* magazine, and the paleo-libertarians. But Hank, you forgot the American taxpayer, and the American parents who don't want their boys killed.

* * * * *

Allan Carlson, president of the Rockford Institute, wrote the second R of his "great admiration" for this publication. "In its category, *RRR* is the finest newsletter in the country. With every issue, it seems, I learn something new, in-between the laughs and guffaws. Murray, Sarah Barton, and you are doing a superior job. Congratulations!"

* * * * *

Porno king Al Goldstein, publisher of *Screw* magazine, was a delegate to the LP's Chicago convention. Now he is running on the LP ticket for sheriff of Fort Lauderdale, Florida, as a defender of the pro-rape rappers "Two Live Crew."

* * * * *

Andre Marrou, says *National Review*, is "most acute on the psychology of his fellow party members: 'Two-thirds of them are more or less normal people.'"

* * * * *

"On the Starship Liberty," writes Captain Andre, "there are no passengers. We are all crew."

* * * * *

Andre Marrou ran his own veep campaign in 1988, but he has forbidden his own running mate, Nancy Lord, from doing the same thing. Every dime must pass through his Las Vegasian fingers.

* * * * *

Paleolibertarian philosopher David Gordon says the modals who went ape over the second R's Rodney King article were not reacting to anything anti-libertarian in the piece. They were bonkers over: (a) Lew's implicit rejection of "procedural rights" (which other libertarians like Bill Evers have also rejected); and (b) Lew's lack of "compassion." But since when has that been a part of libertarianism?

Porno king Al Goldstein, publisher of *Screw* magazine, is running for sheriff on the LP ticket.

* * * * *

Redd Foxx, RIP: Murdered by the IRS.

* * * * *

Has anyone noticed? The Old Right synthesis of libertarian political economy with conservative culture has swept the movement. It's true that the modals are probably a majority, but part of our strategy was polarization. We *wanted* to be rid of them, and what a paleo-pleasure it is!

* * * * *

Yes, Bush wants the New World Order, but amidst all the brouhaha over his foreign travel, why has no one mentioned that his girlfriend, the assistant chief of protocol, goes on these trips and poor Barbara doesn't?

* * * * *

For those interested in results, not "process," here's a time-saving tip: ignore everything written about conferences in the Middle East.

* * * * *

Definition of the shortest discernible length of time: the duration of any given cease-fire in Croatia.

* * * * *

As predicted, new IHS president (poor John Blundell having been kicked upstairs like Leonard Liggio before him) is Bill Beech. Congrats to Bill for out-negotiating Charles Koch on salary, a virtual first.

P.S. At the banquet for the IHS' 30th anniversary, at which Bill was introduced and feted, F.A. Harper—the great man who founded IHS—was barely mentioned, and his heirs, libertarian giants Leonard Liggio and Walter Grinder, were not mentioned *at all!* It was as if Wichita Chuck were responsible for the whole thing. Shame! ●

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

(Thomas & Hill...cont. from P.1)

Locke and by the Founding Fathers.

And that was Clarence Thomas *at his best.* From then on, it was all downhill, as Thomas, going far beyond even the counsel of his "pragmatist" White House handlers, scrapped everything he might ever have believed in his scramble for the Court appointment. His Randian, or natural rights statements of the past were dismissed (much as in the case of Randian Alan Greenspan before him) as "philosophic musings," unrelated to the judiciary, or indeed to political life generally. One unfortunate effect of Greenspan, Thomas, etc., is that Yahoos who are convinced that philosophy is a trivial game unrelated to any of life's problems have had their views confirmed in spades.

And so, by the end of the regular hearings, I was genuinely neutral on the Thomas Question. (To lapse into the jargon of the four or five Lost Days of the open hearings, "This Senator would have been undecided.") When I first heard of the Hill charges and the idea of open hearings, my initial reaction was to oppose both sides equally, and call cheerily for open hearings for many weeks or months, so that all conceivable witnesses could be called and every negative detail be dredged up or confirmed about everyone concerned.

The Monstrous Regiment

But then came the Monstrous Regiment, a phrase derived from the title of one of the great religious tracts of the vexed sixteenth century; the essay by the great Scottish Calvinist leader, the Rev. John Knox, who, in 1558, published his delightfully titled *The First Blast of the Trumpet Against the Monstrous Regiment of Women.* From the moment that Pat Schroeder and the other Democrat viragoes of the House invaded the Senate, the entire regiment, nay army, of organized Left Feminism, including their wimpo Male Auxiliaries, rose up in hysteria to support Hill and denounce Thomas. The truly horrible part is that virtually the entire media, including every TV and press reporter, threw aside the last pretense of objectivity and filled the press and the airwaves with an enormous mass of frenzied bias. TV interviewers, usually studiously neutral, threw caution to the winds, and tossed puffball questions at Hill supporters, while being snarling and argumentative with pro-Thomas leaders. And in between, the airwaves were filled with every feminist "expert" and shrink available, lending a frenetic pro-Hill spin to the proceedings. The *Los Angeles Times*, generally an excellent paper, turned itself into a house organ for NOW, if not for SCUM, for the week before and after the open hearings. [SCUM was an early manifestation of the feminist movement, the Society for Cutting Up Men, headed by one Valerie Solanis, who capped her alleged principles by shooting in the head her one-time close friend, Andy Warhol.] No holds were barred; it was war to the knife.

The airwaves were filled with every feminist "expert" and shrink available.

The basic premise of the Regiment, always implicit, sometimes explicit, is that whenever any woman whatsoever makes a charge of "sexual harassment" (or date rape, or rape, or whatever), that the charge must be taken by everyone as per se true. Any doubt expressed, let alone any challenge to try to impeach the witness, is considered per se evil, an attempt to blame or once again "harass" the "victim." Note that this truly monstrous view can only make sense if one holds as a basic axiom that any woman's charge must always be treated as gospel truth.

When the defenders of Thomas pointed out, quite

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

correctly, that a basic principle of American justice holds that a man must be considered innocent of any charge until proven guilty, the Regiment replied that this was not a criminal trial, but a hearing to help decide a nomination for Supreme Court Justice. In the first place, this is a disingenuous reply, because the Monstrous Regiment of organized feminism believes the same thing about a criminal trial, and would push this view if they could get away with it. [Look, for example, at the attitudes of the left-liberal media toward (a) the accused rapist Willie Kennedy Smith, whose name is blackened everywhere, and (b) The Woman, who must never be named, and any impeaching of whose credibility is treated as a "second rape" by "her accusers."]

But second, even though this was not a criminal trial, the idea of the presumption of innocence to the accused is simply a basic principle of fairness, even though there is no need for the strict criminal standard of proof "beyond a reasonable doubt." Add to this the inescapable fact that the sexual harassment [s.h.] charge was unsupported and unsubstantiated, and that the alleged event occurred a decade ago, way beyond the brief "statute of limitations" in s.h. cases. Add to this, too, the Pearl Harbor surprise aspect to the charge: made deliberately at the last minute to try to torpedo the nomination. And made by a woman who admittedly not only followed Thomas from one job to another, called him up frequently afterward (a fact La Hill denied until confronted with the inescapable evidence of the phone logs), was extremely pleasant to Thomas ("there was such joy" on their faces—Dean Kothe), and even as late as August 1991, after the nomination, expressed her joy about it to the former aide of Thomas at the A.B.A. convention. In short, even if the charge was true, Anita Hill's action was an act of betrayal against a mentor who had advanced her career and whom she has treated as a friend. There is simply no excuse for Hill's vicious action.

Even if the charge was true, Anita Hill's action was an act of betrayal against a mentor who had advanced her career.

Dredging up psychobabble, the Regiment claimed that this was a typical action of an s.h. victim—a claim effectively smashed by the various pro-Thomas female aides, many of whom had themselves been s.h.ed. At best, playing along with Thomas was cynical and calculating, and can hardly justify her later betrayal after she had finally achieved tenure.

Hill's charge was totally unsupported, to which the Regiment hotly replies that this is the nature of the "crime" of s.h. But that of course is the main point. Unsupported charges must never be given credibility. In rape charges there is often physical evidence to substantiate the claim, but by definition the verbal "crime" of s.h. can never be proven, which is one of the reasons why it *should not be a crime at all.* (see below)

Where there can be no evidence, the only defense can be to impeach the credibility of the accuser or of other pro-accuser witnesses. As a law professor with an admittedly shocking ignorance of the law, "Professor" Hill would certainly understand that the defense would have to impeach her credibility. And yet, the whining, and the moaning, and the general *geschrei* by La Hill and the rest of the Regiment! How dare anyone attack this lovely woman's character? But what else is any defense supporter supposed to do—except of course, to follow the feminist program of every defendant's lying down and submitting to total female Power?

Why did the defense have to attack La Hill's motives? Well, how else could her credibility be impeached? The Senators posed the question:

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

who is lying? (And obviously at least one was lying, since no shrink-hermeneutics could give a *Rashomon* twist to the conflicting testimony.) Who had a motive for lying? Thomas' motivation was obvious: to clear his good name and to become Supreme Court Justice. The Regiment claimed that La Hill could have no possible motive for telling a falsehood. The motives then rolled out from the defense, many of them persuasive:

1. She could have the delusion of Thomas' sexual interest in her, and accompanying "talkin' dirty" and then be bitter at lack of such interest later. Many women suffer from such "erotomania," plus there was considerable testimony ("under oath," as the Senate likes to say) about Hill's general erotomania (John Doggett) and specifically of her unrequited sexual interest in Thomas (Phyllis Berry).

2. She could have nursed bitterness because of professional jealousy because she at first was a top aide to Thomas at the Department of Education, and then was only one of many aides at EEOC, thereby suffering from loss of access and job status. She was also bitter that she wasn't appointed top aide to Thomas (J.C. Alvarez, Phyllis Berry).

3. (Corollary of 1. and 2.) Hill was jealous of the fact that the woman who *did* get the top aide post, Alison Duncan, was a black who was lighter-skinned than she; and, to top off the "insult," that Thomas later married a white wife. (Why is it that Hill's final call to Thomas was to "congratulate" him on his marriage?) Skin color is a big factor in sexual jealousy among blacks, a fact greatly underplayed in the general media.

4. She could be seeking fame as a heroine of Organized Feminism. ("She wants to be the Rosa Parks of sexual harassment"—J.C. Alvarez.) And if she wasn't seeking fame, *why did she bring a PR firm* as well as a brace of lawyers to the hearings? Clearly, she is already a lauded heroine of left-liberalism.

5. (Corollary of 4.) She could be pursuing a leftist agenda. The idea that Hill is a "conservative Republican" sounds like a pack of nonsense—she has admitted to disagreeing vigorously with Thomas about affirmative action and perhaps on abortion.

The idea that Hill is a "conservative Republican" sounds like a pack of nonsense.

6. But why should she jeopardize her brilliant career? *What* brilliant career? A black female graduate of Yale Law School should, these days, be able to write her own ticket. And yet, by the testimony of one partner of the private law firm she worked for after graduation, Hill was booted out as incompetent—from whence, by the help of mutual Yale Law friends, she found good jobs with Clarence Thomas. And when she left government, where did she "profess"? Oral Roberts Law School! With all due respect to the lovable Dean Kothe, that short-lived law school scarcely ranked in the top 1,000. Because of her "courageous" back-stabbing act, *Newsweek*, which also enlisted with enthusiasm in the Regiment, is already pushing Hill for a judgeship.

Psychobabblers claim that s.h.ers commit their dastardly s.h. in patterns, yet no one could be found to come forward against Thomas except La Hill. The only exception was Angela Wright, who decided not to testify personally, since her credibility would have been cut to ribbons. In the first place, she was fired for incompetence, and secondly one of the reasons for her dismissal is that she denounced one of her co-workers as "a faggot." All the Democratic Senators needed was to turn the homosexual community against them.

Senators and Witnesses

The Regiment claimed that the Democrat Senators were tossing Thomas puff ques-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

tions, while the Republicans were irredeemably nasty toward the martyred Miss Hill. The Republicans, from my perspective, were, on the contrary, truckling and fawning on Organized Feminism. Even the most conservative, such as Hatch and Simpson, kept mewling that yes they too are "sensitive" to women, that "my lovely daughters are women," "my wife is a woman," and, above all, "my mother was a woman." World's record for sensitivity to one's mother was won, going away, by pro-Thomas Democrat Senator D-Concini (Az.). Everyone was being very, very respectful of nearly everyone. For the Republicans, the most effective and brightest was Senator Specter (R.Pa.), who drew a careful, precise prosecutorial web; Senator Simpson (R., Wyo.) was *our* curmudgeon; and Senator Hatch (R.Ut.) enlivened the proceedings: ("A *stereotype*? I never heard of such a thing! Tell us about this stereotype . . . why, that's *disgusting*," and "Judge Thomas: how did you *feel*, how did you *feel* when those rotten, despicable charges were made against you?")

The anti-Thomas Democrats were an odious lot. Most repellent was that gas-bag Biden, without whose blatherings the time might have been cut by one-third. Add to that his smarmy smile, punctuated by his petulant and nasty frown. ("I'll cut you off!") Senator Leahy (D., Vt.) remind-ed one of a Vermont village sneak, the snitch who reports his classmates to the authorities; Kennedy was . . . ugh! Kennedy! Metzenbaum was an ugly, ferret-faced embodiment of evil tempered by confusion; Heflin (D.Ala.) was often amusing but was no Sam Ervin; and Strom Thurmond (R.S.C.) was lovable but often incomprehensible but at least mercifully brief.

The anti-Thomas Democrats were an odious lot. Most repellent was that gas-bag Biden.

It is conveniently forgotten by the Regiment that the Republicans only had a few days to root out an anti-Hill case, whereas the anti-Thomas dirt-grubbers had over three months for *their* campaign. Considering the time pressure, the Thomas defense did a remarkable job. Little thanks to the White House, whose first instincts were to temporize, to truckle, to cut and run. It was Thomas himself who saved the day by getting rid of his handlers, and by leaping to the attack, brilliantly and emotionally, "playing the race card." As well he should have, since it is certainly true that the civil rights Establishment hate nothing more than "oreo cookies," than blacks who are conservative or in any way opposed to their agenda, and thus undercut the appearance of black unanimity for their cause. Tossing aside his previous wimpo blatherings, Thomas was decisive, and his words rang instinctively with the rhythms and repetitive intonations of black blues and black gospel: "No job is worth this, senator, no job." "I died last week, Senator, I died there. . . There has been no joy in this process, no joy." "I will not go into any area of my private life. No job is worth it. No job." Faced with someone prepared to tell them to go to Hell, the Senators reverted to type: they wimped. The specter of the black vote rose before them, especially before the swing votes, the Southern Democrats. "This is a high-tech lynching, Senator," lanced them like a lightning-bolt. Emboldened by Thomas' dramatic counter-attack, the White House acquired some spunk, and leaped to Thomas' side. Despite the time pressure, excellent anti-Hill work was done by White House counsel C. Boyden Gray, by former top handler Ken Duberstein, and by the brilliant head of the Office of Legal Counsel of the Department of Justice, J. Michael Luttig, in his last act before ascending to the appeals court bench as judge.

Not that the Democrat Senators were always wimps.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

They did level the full force of their nasty sarcasm against the voluble John N. Doggett, with Leahy openly smirking and snorting at Doggett's testimony. Doggett, however, did force Metzenbaum to retract charges made about *his* sexual harassing. ("*Not* under oath, Senator!") [Where one stood on John Doggett seemed to be a test of one's anti-Hill militancy. Most of my friends were anti-Hill/pro-Thomas, but even many of *them* didn't like Doggett; I, however, thought Doggett a strong and estimable witness.]

As for La Hill, I found her neither brilliant nor particularly credible or likable. She impressed me as being whiny, droopy, and stolid. I liked all of the pro-Thomas female witnesses, especially J.C. Alvarez, who was tough, smart, and sassy, and took it to La Hill: ("That shy, little Baptist girl from the South was not the very hard, tough, arrogant, tantrum-throwing Anita Hill I knew.") I also like the urban ethnic Alvarez, reminding me of quintessential New York, even though she comes from Chicago ("Senators, I need this like I need a hole in the head.").

As for La Hill, I found her neither brilliant nor particularly credible or likable. She impressed me as being whiny, droopy, and stolid.

The Triumph of Populism: The Regiment Loses the Masses

The great thing about the Thomas victory was that the masses were not conned. Despite the tremendous propaganda barrage by the media, the masses used their own eyes, watched the proceedings in great numbers, and decided overwhelmingly that they were anti-Hill and therefore pro-Thomas. Despite their arrogance, despite the TV shrinks; despite the hysteria, the masses decided overwhelmingly, in the polls, as well as in letters and telegrams pouring into Congress. The Regiment not only lost the white males and black males and females, they even lost the white woman vote. If we men simply "didn't get it" (see below), then neither did most American women. As Peggy Noonan pointed out, the difference was class: upper-class whites, media types, professionals, the intelligentsia, females and even males, were overwhelmingly pro-Hill. Indeed they were, since they constitute and virtually define the Monstrous Regiment. But working-class women, to say nothing of men, overwhelmingly rejected Hill and supported Thomas. The very working-class masses whom upper-class liberals profess to bleed for, told them, too, to go to Hell, As Peggy Noonan put it, it was the difference between the voluble folks discoursing in restaurants (pro-Hill) as against the people who serve them (anti-Hill). And while the former may be more influential, the latter, after all, constitute the body of voters. And they couldn't be fooled.

Felicity Barringer, in an instructive article in the *New York Times* (October 18), tapped the reasons why the mass of women, including working women, had little patience with La Hill. These working women recognize that women entering the workplace have to be tough, and they couldn't believe that a woman with Yale Law School credentials could be the shy little put-upon flower she put before the TV public. A retired secretary in Baltimore stated that "it's unbelievable that a woman couldn't stop something like that at its inception." A worker at a battered women's shelter: "I was harassed and I nipped it in the bud; I stopped it right then and there. One guy said, 'I see you don't take any guff.'" An elementary school teacher asked, "Wouldn't you haul off and poke a guy in the mouth if he spoke in that manner?" In general, Ms. Barringer reported that the blue-collar women of Baltimore, many an-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

gered by s.h. themselves, neither believed nor respected Anita Hill. The women, Barringer reported, broke down sharply into class: lawyers, politicians, and "human services professionals" being pro-Hill, with working class women being opposed.

Most of the women I know took the position that Anita Hill's charges are probably true, but so what? What's the big deal? In that way, these women, even the non-libertarians among them, make the crucial libertarian distinction between sexual assault (physical aggression) which should be a crime, and is a crime under old-fashioned, pre-s.h., law; and verbal horseplay, which happens all the time and should be no cause for legal or public charges and bringing in the gendarmes. The same words were used in a *L.A. Times* column by libertarian/neocon *Reason* editor Virginia Postrel. (October 17). Postrel writes that, even if Hill's charges are true, "such actions might make a woman uncomfortable, but they are no big deal." Postrel adds that "any woman with the gumption to pursue a career as a lawyer ought to have the guts to tell her boss that she isn't interested in dating him and doesn't want to hear about sex films."

Put it another way, the feminist agenda, for decades now, has been to insist that there is no, absolutely no, difference between men and women; that the ERA should be passed therefore as a constitutional amendment, and that all laws protecting women should be swept away. But then, the organized harpies want to have it both ways: to insist on absolute equality between the sexes but then to assert, as Postrel puts it, that women "must be protected not just from overt physical overtures . . . but from anything that might disturb their pretty little heads." Postrel insists, quite correctly, that "the working world does not particularly care about your emotional state. It doesn't exist to make you miserable, but neither is it there to make you happy." But feminists, Postrel concludes, "are discrediting working women, teaching them to be hypersensitive, and teaching men not to trust them. Never, never, never, they are telling men, be alone with a female colleague. You never know what she might say about you later." Precisely.

> "What the feminists are after is the destruction of any man who does not conform to the feminist ideology and agenda."

From a different, paleoconservative, anti-feminist perspective, Phyllis Schlafly, in a powerful column (*Newsday*, October 20), blasts feminists for insisting on being "treated just like men," as "one of the boys," and then, in their pursuit of total power, putting on, as in the case of Anita Hill, the "phony pose" of "'poor little me,' the injured ingenue, the damsel in distress who cries for Big Brother Federal Government to defend her from the wolves in the workplace—not merely from what they might do, but even from what they might say." Mrs. Schlafly, who, almost singlehandedly succeeded in stopping the ERA and the Monstrous Regiment in its tracks, concludes that "what the feminists are after is the destruction of any man who does not conform to the feminist ideology and agenda."

Who Don't Get *What?*

Undoubtedly the most annoying ploy of the Regiment during the imbroglio was the continuing taunt: "You men just don't get it." Except for feeble attempts by Senators like DeConcini to insist that "yes, yes, I *do* get it, I understand," the charge went largely unanswered. The "it" that men just can't seem to "get" is the truly monstrous thesis that "sexual harassment" is an unbroken continuum from "Hi, toots, you look good today," to actual rape. Short-sighted, silly men, the charge goes, insist on making sharp logical

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

distinctions: *e.g.* between rape and physical assault on the one hand (criminal as well as immoral); verbal threats of dismissal or lack of promotion to be fended off only by sexual favors (deeply immoral but not criminal); and verbal flirting and horseplay (trivial and certainly not criminal). Women, on the other hand, see things differently and so (the implicit but undefended assumption goes) better and more truly: that no distinctions can be made, and that therefore there is *no real difference* between the ends of the continuum, so that virtually all actions of men constitute rape. This means, of course, that actual rape is trivialized, in the course of attempting to demonize and outlaw verbal flirting. Neocon writer Dorothy Rabinowitz calls this a "mindset that knows no distinction between a serious incident of harassment and the most trivial one, and no distinction either between an accusation and actual guilt." Therefore, Rabinowitz adds, "in this atmosphere, to be accused is to be guilty, to be the accuser is *ipso facto* to be granted victim status." (*Wall Street Journal*, October 14.)

If men and women are doomed to see the issue totally differently, then it is hopeless to try to convince us. And therefore, *why don't you just shut up?*

There are two successful and powerful rebuttals to be made to the "you men just don't get it" charge. One is: no, ladies, *you* don't get it: you don't get the crucial distinction between harmless verbal flirting, verbal threats of job loss in demanding sexual favors, and physical assault. We don't "get" the continuum thesis because that thesis is evil and wrong, and for reasons we have just outlined. The second rebuttal is to turn the "you just don't get it" thesis on its head. Look, ladies, women, womyn, viragoes, or what you will: you seem to be claiming that since we are men, we can't possibly "get it," that only women can reach this magic realm of understanding. You are engaging in the fallacy of what Ludwig von Mises called "polylogism." But let's assume for the sake of argument that you are right. But in that case, why do you keep talking? If men and women are doomed to see the issue totally differently, then it is hopeless to try to convince us. And therefore, *why don't you just shut up*?

The great social satirist Tom Lehrer once put it brilliantly when he was talking about the then current fad of people moaning and kvetching about their "inability to communicate." Lehrer then gave such talk the definitive putdown: "Look, it seems to me that if one is unable to communicate, the *least* he can do is to shut up."

But of course women don't want to shut up, because the whole point of this "you just don't get it" ploy is to browbeat *men* into shutting up, into going along with this nonsense even though they are unconvinced. To go along, and to grant organized womanhood permanent victim status, with all the goodies in power, perks, and income that such status implies.

S.H. and the Law

In a rare moment of insight amidst his usual blather, Senator Simpson (R.Wyo.) called it "this sexual harassment crap," although he has been backtracking and apologizing ever since. But what about s.h.? What is it, and should it be a crime?

Here, libertarian doctrine comports totally with old-fashioned law, that is law before the civil rights hokum came onto the books. Very simply, there ain't no such crime as "sexual harassment." Physical assault or rape has been considered a crime from time immemorial, and it still is. There is no need for some extra "crime" called s.h. To prosecute such a crime, there is no need for special administrative bureaus or commissions.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The start of the evil can be pinpointed precisely: the monstrous Civil Rights Act of 1964, specifically Title VII, prohibited discrimination in employment on the basis of race, religion, sex, and other possible characteristics. This horrendous invasion of the property rights of the employer is the source of all the rest of the ills, neocons and sellout Libertarians to the contrary notwithstanding. If I am an employer and, for whatever reason, I wish to hire only five-foot-four albinos, I should have the absolute right to do so. Period. The next step in the logic of intervention came in 1980, when the U.S. Equal Employment Opportunity Commission adopted regulations defining "sexual harassment" as a form of "sexual discrimination," and then we were off to the races. The media have called it "ironic" that Clarence Thomas, as head of the EEOC, played a major role in pressuring the Reagan Administration to widen the definition of s.h. to include the sort of verbal flirting he has been accused of. But it is more than ironic: Clarence Thomas himself forged the weapon that almost destroyed him, and in that sense he almost got his just deserts. (I think that is the strongest of the anti-Thomas arguments, one that was, of course, almost never used.) In all the wailing about Anita Hill and other alleged "victims" of s.h., no one considers the poignancy of employers being forced to pay taxes to support state and federal EEOCs, so that these commissions can pay the legal costs of prosecuting the same employers, thereby relieving the female plaintiffs from the economic costs of bringing suit. The existence of tax-funded EEOCs adds insult to injury to the employers.

The concept of s.h. has now swollen to such lengths that the following actions "in the workplace" are now illegal and *criminal*: statements such as "I wish my wife were as pretty as you," terms of affection such as "toots," "honey," "dear"; use of a "demeaning" term such as "girl"; hanging pinups in one's office; throwing office parties that include nude dancers; and—my personal favorite—inappropriate "non-verbal gestures," such as "outlining a person's body parts with one's hands or looking someone up and down with elevator eyes."

This is Left-Puritanism to make the 17th-century Puritans look like casual, easy-going hedonists.

Can you imagine what is going to happen as these outrageous concepts of crime are enforced? Can you imagine the vast Gestapo necessary to hunt down and arrest men for inappropriate eyeing up and down, for saying, "hello, honey," etc? Since most women now enter the workplace, the idea of outlawing flirting is not only totalitarian; it is also absurd.

One of the endless stream of feminist harpies on TV during the hearings put it thus: "sex must be banished from the workplace." This is Left-Puritanism to make the 17th-century Puritans look like casual, easy-going hedonists. With much of the female population working, dates, marriage, even sex is going to be inevitable. Presumably, the Monstrous Regiment, even if they don't in their heart of hearts think that flirting and sex can be outlawed, recognize that it can be made unpleasant, costly and uncomfortable, and, above all, that outlawry can be used as an irresistible and eternal weapon for total power over the hapless and bewildered male population.

The entire legal structure, from top to bottom, from discrimination through harassment, must be replaced. My major reason for being anti-Hill is that if she had won, the Monstrous Regiment, feeding on and gloating in their victory, would have been unstoppable. Total power would have been theirs. The danger is far from over, but at least they have sustained a crucial setback, even though

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

they are trying to drown out that loss in endless whining, griping, and victimologizing.

Miscellaneous Peeves

It's Not Sex, It's Power. Look, you harridans just don't get it. I'll try once more. If employers want to exercise power, why particularly put it in sexual terms? After all, bosses also exert power over males: why not do so over both sexes by (a) loading on a lot of work, and/or (b) being generally grumpy and ill-tempered? Ahh, yes: after all, if a boss "creating a hostile environment" is defined as a criminal s.h., what about a *non-sexual* hostile environment? What about a boss being generally grumpy, yelling at subordinates, etc? Are we, then, to outlaw grumpiness "in the workplace"? Compulsory smiles by all, at least by all bosses?

In fact, ladies, I'll clue you in: bosses who set out to seduce their employees are *using power* in order to obtain *sex*. *Capice*? Or is that concept too complex for you? And besides, power is not really your complaint, since s.h. is also being charged, not just to bosses, but to hapless male "co-workers."

Irritated at last, Pat Buchanan lashed out: "All right, why don't some of you big fat [male] liberals resign and get women appointed?"

Power and the All-Male Senate

Enormous quantities of ink were spilled during the hearings about the fact, particularly infuriating to the Regiment, that here were all these *male* senators deciding on the fates of Hill and Thomas. Well, so what? What do you want? These big bad males got there by a process that left-liberals usually claim they love: democratic election. If you want more women senators, shut up and go get them elected! In fact, there are fewer female senators now (two) then there were at times in the past. It's true that Betty Friedan and other termagents have threatened to run for the Senate themselves. Somehow I don't think Betty out in Wyoming poses a formidable threat to Senator Simpson.

One of the best responses I heard against the continuing whine about male senators came from Pat Buchanan on *Crossfire*. Irritated at last, Pat lashed out: "All right, why don't some of you big fat [male] liberals resign and get women appointed?" There was no reply.

There is only one logical conclusion to all this bluster—a truly frightening one because it is not as outlandish as it may first seem. If we can't get a fifty percent female representation in the Senate, shouldn't a federal commission, a Federal Equal Elections Commission, be empowered to *appoint* all the senators so that half can be women, twenty percent black, and on and on for every Accredited Victim group? Elections are simply too messy, and . . . democratic.

The goal of the Regiment is *power*, and a social revolution. All the griping about male bosses and power amounts to this: why aren't fifty percent of the bosses female? The logical conclusion, again, is for a Federal Equal Employment Commission to *appoint* all bosses in the workplace, so that fifty percent can be female, twenty percent black, X percent Hispanic, and so on.

We are not very far from what still looks like a bizarre and would in fact be a horrifying and totalitarian world. In order to avert this destiny, the Regiment, and all other victimological regiments, must be stopped flat, stopped now, and the movement reversed toward the relatively free society and economy we enjoyed before The Sixties and its progeny descended upon us.

The Two Plots

In contrast to the above, these are minor considerations, but they rankle nevertheless. There has been a lot

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

of conservative concentration on the Plot by various left-liberal Senate staffers (aides to Metzenbaum and Kennedy, such as James Brudney) to dig up dirt, and to embroider or lie to induce Anita Hill to testify. But there is another, even more evident, Plot that virtually no one has mentioned. There has been a lot of feminist whining about how "even the male leftist Democrats" on the Judicial Committee were so "insensitive" to women that they buried the Hill charges, which led to the famous leaking of her affidavit to *Newsday* and to the battle-ax La Totenberg, the fake sexual harassee who made poor Judge Ginsburg rue the day he ever smoked a marijuana cigarette.

But it seems to me that this very "insensitivity" is bogus. Professionally sensitive leftists like Metzenbaum suppressing the Hill story? To me, the following Plot seems patently evident: the leftist Senators deliberately feigned insensitivity, killed the Hill charges, and *then* one of them or a staffer leaked the Hill story to Totenberg, et al., thereby whipping up the Schroeder, etc. March on the Senate, as well as a torrent of feminist hysteria throughout the nation—insuring the open hearings and TV acclaim that the Left and the Regiment wanted from the very beginning!

What About Mentoring?

After leading the feminist pack throughout the hearings, the *L.A. Times* suddenly turned contemplative, wondering: in the light of the stab-in-the-back by La Hill, what's going to happen to the vital process of mentoring in business and politics? (Paul Richter, October 18) What mentor is going to take any young females under his wing if this sort of thing is going to happen? And yet, careers in politics, and in business as well, often depend upon mentoring. Won't the Anita Hill case have a chilling effect on the mentoring of young women, and what then is going to happen to their careers? Well, gang, you should have thought of that earlier.

So what's the solution? Again, the syllogism on the future agenda shapes up something like this: mentoring is vital to careers; young women who are not mentored suffer from deprivation of their careers; *therefore:* in order to insure "equal access" to mentors, every important person in business and politics must be forced by law to have protege quotas: fifty percent female, twenty percent black, X percent Hispanic, et cetera. Do you honestly think this is *not* going to happen? Are you willing to bet against it?

It was particularly refreshing during all the Thomas & Hill blather to turn to opinion from Europe.

The View from Europe

It is often clarifying to see ourselves as others see us, and it was particularly refreshing during all the Thomas & Hill blather to turn to opinion from Europe. Europe, which by and large has not suffered from the scourge of the Monstrous Regiment, concluded that Americans were crazy, in the grip of a pervasive and pernicious Puritanism, and also in the clutches of a destructive feminism. Thus, the London *Sunday Times*: "America has flung itself again into one of those spasms of passionate moral debate that nations more tolerant of human frailty find it so hard to understand," in an article under the headline "Talking Dirty." And *London Times* columnist Janet Daley charged that in the United States, "undesirable behavior must be prohibited by fiat." The Italian press was particularly scornful. Thus, *Il Giornale* of Milan scoffed at the "show, which worked better than Dallas or Dynasty, but [is] . . . humiliating for a great democracy." And the Italian newspaper *La Repubblica* remarked that "Puritan America watches television as if it were looking in the mirror."

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The Puritan note is perceptive. For one of the grave problems with American public life is that every public personality is expected to be a saint, so that any revelations of sin or of less than saintly behavior discredit the person's public performance. This attitude is both absurd and destructive, and the problem is generally handled far more intelligently in Catholic than in Protestant countries. When Kitty Kelley wrote her scurrilous biography of Frank Sinatra, even if all the charges were true, who cares? How does this affect the quality of his singing, or the joy that it has brought to millions of Americans? And why are singers supposed to be great moral exemplars? All of American life has been poisoned by this killjoy neo-Puritan spirit. Thus, why can't we enjoy baseball or football or track without engaging in continuing sin-hunts? Why are sports figures expected to be saints? Why can't they be enjoyed and admired for what they're good at, and leave it at that? The contention that they are "role models" for kids and therefore should be goody-goody should be rebutted by saying it should be up to the parents to explain the facts of life to kids. And among those facts: a lot of truly great people in an art or craft or other endeavor may well be stinkers in private life. So get used to that, kid!

> "Yes," he laughed, "the higher synthesis is that either way we lose."

Comment from Europe also zeroed in on the destructive feminism that has taken over America. My favorite press comment was by London *Sunday Times* columnist Barbara Amiel, who accused American feminists of corrupting behavior and relations between the sexes, and of using Judge Thomas' alleged "bad taste" to "turn rude behavior into a constitutional cause." Ms. Amiel concluded quite justly that "extreme feminism is now a state religion in America." (Alan Riding, in the *New York Times*, October 14.)

At the risk of alienating my atheist libertarian friends, I think it increasingly clear that conservatives are right: that some religion is going to be dominant in every society. And that if Christianity, for example, is scorned and tossed out, some horrendous form of religion is going to take its place: whether it be communism, New Age occultism, feminism, or Left-Puritanism. There is no getting around this basic truth of human nature.

My favorite European comment on the Thomas & Hill Affair was offered by a TV producer in Rome, as noted by the *San Francisco Examiner*:

"If an Italian boss had acted like Clarence Thomas is alleged to have acted—that is, make remarks to his pretty assistant, but afterwards not hold a grudge against her for rejecting him, keeping in contact with her and even apparently helping her—here in Italy he would be considered a good guy."

This Roman has said it all.

Epilogue: The Higher Synthesis

I was hashing over the case the other day with a distinguished paleo-conservative scholar who was taking the anti-Thomas position. Finally, I remarked: "It seems to me there is a higher synthesis of our two views." "Yes," he laughed, "the higher synthesis is that either way we lose."

I certainly see what he means. Out of the hearings there will inevitably be a rush to confer more special privileges on both of the two clashing Victim Groups: blacks and women, and this would have been true regardless of the outcome. President Bush has already expressed his gratitude to black support and to Senator Danforth by throwing in the towel on his opposition to the quota-imposing Danforth Bill. In this way, President Bush preserves his consistent record of caving in on every one of his loudly and repeatedly asserted "principles." Also, something will surely be

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

done to ease the blow to organized feminism. But I still think it was far better for the cause of liberty for the Regiment to receive this splendid setback. Especially because it shows that the masses can be reached by common sense over the heads of the arrogant media, which in this case virtually constituted a monolith. May this not be an indication that, short of the daunting and terribly long-range task of converting the intelligentsia and the media, that this opinion-molding elite can be short-circuited by a direct, "populist" appeal to the masses? Dr. Samuel Francis, in a series of brilliant columns in the *Washington Times* and in *Chronicles*, has been pointing out that in the short or even medium-run, the chances of mounting a successful movement for libertarian ultra-minimal government, or even for classical republican limited government, are minuscule. For the intellectual, opinion-molding, and other elites who are running the show are on the other side. Liberty, Francis points out, can only be achieved now in two phases, the first phase mounting a populist assault on the things—mainly the "social issues"—that gripe Americans the most: crime, the welfare system, affirmative action and victimological tyranny, high taxes, bureaucracy and politicians, gun control, foreign aid, and globaloney. By stressing such gut issues, issues that already rankle the average person, a Right-wing populist coalition of libertarians, "rednecks," and traditionalists can reach the masses directly and shape history. And then, after Phase One is achieved, we can plan for the next push toward liberty. But why am I convinced, even though each and every one of those issues is libertarian, that Libertarians will be among the major opponents and gripers about this strategy? Because, apart from taxes and gun control, these are issues where the average Libertarian, the Modal, is uncomfortable or downright hostile.

The paleo-populist train is in the process of leaving the station.

Well, the heck with it. The paleo-populist train is in the process of leaving the station, the Locomotive of History is a-chuggin', and it is up to the Libertarians whether they wish to hop aboard. It's high time that we stop finding ourselves trapped in a Higher Synthesis where either way we lose. It's time we started winning; and maybe someday we'll have the marvelous Higher Synthesis where either way, we win. ●

Tips for (Male) Wannabee S.C. Justices

1. Never, *ever*, talk to a female, except at court, committee meetings, etc.
2. If you *must* talk to a female, only do so accompanied by several witnesses, *including* your attorney, a notary, and a tape recorder.
3. If you must smoke marijuana, only smoke one or two, and never beyond law school. (The Ginsburg Rule)
4. It is still not clear whether it is OK to watch porno in college or law school. But obviously, porno is out at any later period in your life.
5. If you insist on watching porno anyway, it is vital that you not leave a paper trail at video rental stores. You have three options:

   a. You can watch porno in a movie house. But then, of course, you will be subject to the Pee Wee Herman Lemma.

   b. You can *buy* the darned films; but then, of course, you will have to hide them from hordes of reporters, investigative teams, etc.

   c. If you insist on renting, for Heaven's sake launder them through relatives, friends, etc., and/or patronize a large number of video stores.
6. Although it didn't come up in the Thomas case, drinking is going to be out, too. (Remember the Tower Rule.) Perhaps a discreet glass of sherry at dinner. But

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

sip, don't go down the hatch.

7. Smoking (tobacco) is going to be out, too. Do we want a Justice who gives instant lung cancer to several hundred patrons each time he lights up in a restaurant? Or to his guests or family when he lights up at home? A few smokes behind the barn in college will be OK, but not later.

8. And of course, you must have no discernible opinions on any topic that is important or that even might *become* important in the future. Write no opinions or law review articles, that might give your views away. Discuss nothing important with anyone, so that the next time you're called on to say if you've ever discussed *Roe v. Wade*, you can say No, Sir, with full credibility.

Well there you are, old son: no fun, and no opinions, at least after you become a certified adult. You will sail through the nominating process, provided, of course, you can get someone to nominate you.– M.N.R. ●

Arts and Movies

by Mr. First Nighter

For the Bourgeoisie

My Father's Glory; and *My Mother's Castle*. One movie in two parts, directed by Yves Robert. French, with subtitles.

Since World War II, with only a few exceptions (usually the films of Eric Rohmer), French cinema has been, for all of us cultural reactionaries, abominable. Almost to a movie, they have been absurdist, snail's-paced, static, camera lingering lovingly on the pores of the faces of the main actors, plotless, dialog-less, morbid and irrational. In short, aesthetically and politically leftist and *avant-garde*.

And yet it was not always thus. French movies before World War II were often splendid: rich, buoyant, funny, worldly-wise, and many of them were the marvelous comedies of the French playwright and moviemaker, Marcel Pagnol. The wonderful trilogy, *Marius, Fanny, and Cesar*, and *The Baker's Wife*, all featuring the incomparable character actor Raimu, were justly celebrated as some of the best movies ever made.

Much of modern culture consists of dumping on the bourgeoisie, on one's own parents, relatives, neighbors, etc.

The late Pagnol is now, happily, very much back with us in spirit, in these two superb gems (they *have* to be seen in the above order), based on the memoirs that Pagnol published shortly before his death. The movies are brought to us, in a wonderful tribute to Pagnol, by his old friend and movie director Yves Robert. The movies are remarkably evocative of Pagnol's childhood in turn-of-the-century southern France. His father was a school teacher in Marseilles, and the family would take the traditional French August vacation in the hills of Provence. At first the family rented the house, and then bought it, and the two films portray young Pagnol growing up, and learning about and falling in love with the Provencal hill country.

And what a childhood it was! The increasingly common modern view is to heap abuse on one's parents, for (a) psychologically messing you up, and being responsible for all your ills; and (b) for being part and parcel of hateful, insensitive, cloddish, comfortable, upper-middle-class bourgeois life. Much of modern culture consists of dumping on the bourgeoisie, on one's own parents, relatives, neighbors, etc. as being guilty of exploitation of the poor as well as of psychological destruction of the author.

This Pagnol-Robert film is produced as if in defiance of modern convention. For it is, *mirabile dictu*, a portrayal of a very happy childhood, a childhood, as Mencken once wrote of his own, "encapsulated in love." Pagnol loves

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

and admires his father, his mother, and even his wealthy, reactionary, Catholic uncle, who, in a more trendy film, would be set up as the villain of the piece, but is actually a fine and admirable person. Pagnol's memoirs are a portrayal of a wonderful lost world: a paean to the bourgeois world of pre-World War I France. And the Provencal hills are so rhapsodically displayed that even I, an inveterate urbanite, felt a tug of empathy.

It must be pointed out: none of this is gushing or overly sentimental, in the cornball Hollywood tradition. The conclusion emerges out of a simple, underplayed story line. The photography is superb yet unobtrusive. And it's not as if there were no problems in Marcel's growing up. They were not major, but they are handled with great charm, insight, and affectionate wit. His finding a country friend, learning about nature, his losing his heart to a young vixen and potential dominatrix, are all the more effective for being underplayed and done with a light hand. So lulled are we into an elegiac mood, that the heartbreaking end of the second film, *My Mother's Castle*, brings the two-movie set to a powerful two-handkerchief climax.

Many of the reviewers of these movies, arrogant in their trendy negative view of the world, claim that Pagnol could not actually be right, that he must be "repressing," that his childhood simply *couldn't* have been that happy. Rubbish! See these two movies and find yourself back in a world where a happy bourgeois family life was possible; where it happened; and where artists had the simple honesty to defy nihilist convention and proclaim this happy fact to themselves and to the world. And as long as such artists, and such movies, exist, we too can be happy in the knowledge that someday this kind of world can be recovered from memory and nostalgia, and become part of our present and future reality. Some day, when the poisoners of our culture have been sent packing, and our world can be green again.—M.N.R. ●

Term limitation flopped, and by a substantial margin. What happened?

The Kochtopus Bobbles Term Limits

by Joe Melton

They all said that term limits on the Washington State ballot couldn't lose. The polls confirmed it. The Washington initiative, in contrast to those already passed in other states, was magnificently tough. It applied to all elected officials, including the governor; it was retroactive, applying to all existing officials, and above all, it applied to Congress and the U.S. Senate. Despite the babbling about "unconstitutionality," and about the martyrdom of the beloved House Speaker Tom Foley, it seemed to all observers that the Establishment was on the ropes. At last, a libertarian victory at the polls, striking at the heart of self-perpetuating legislative machines. Public support in Washington and in the rest of the country was supposed to be overwhelming. So confident was the *Wall Street Journal* that, on the morning of election day, it published an article by libertarian John Fund hailing the victory and the projected term limit sweep across the nation.

And yet, term limitation flopped, and by a substantial margin. What happened? Conservatives are charging late scare tactics, or anguish about the loss of the beloved Foley, but none of this accounts for the sudden last-minute reversal. More astute observers are pointing to press exposure of the term limits campaign in Washington, which had seemed to be an authentic prairie fire of populism, run out of her living room by long-time left-liberal activist Sherry Bockwinkel. But then, the influential *New York Times*, in a brilliant piece of front-page reporting by

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Timothy Egan ("Campaign on Term Limits Breeds Unusual Alliances," October 31), revealed the fact that behind the mask of grass-roots populism lay an organization run and bankrolled by two billionaires, Charles and David Koch, long known to libertarians. Egan revealed that the grass-roots initiative by Ms. Bockwinkel was getting nowhere, until it was taken over by the Kochs' Citizens for Congressional Reform, run out of Washington, D.C., which paid professional signature gatherers 40 cents per signature, a practice hitherto unknown in the old-fashioned Washington State initiative system. Listing the major contributors to both sides of the Washington term limit plan, the *New York Times* revealed that while the two major opponents, Philip Morris and the Washington Labor Council, led the way in contributing about $25,000 each against Initiative 553, the CCR, counting outright contributions and pledges, furnished the whopping total of $543,000, which constituted almost three-quarters of the total sum raised in favor of term limits.

The next time we get a grass-roots populist movement, make sure that it's *really* grass-roots, and not a front for a couple of eccentric oil billionaires.

So here we have it: what kind of grass-roots prairie fire, what kind of populism, is it that is almost totally financed by one oil billionaire family? In addition, Egan pointed out that the CCR is itself a created subsidiary of the Kochtopusian Citizens for a Sound Economy, which *RRR* readers know as the route by which Richie Fink vaulted to the No. 1 position within the ideological wing of Charles Koch's (aided and abetted by brother David) oil-cattle-ideology empire. Not only that: the Egan article let another jealously guarded cat out of the bag: the fact that Koch Industries, the privately held corporation that is the source of Kochian dough, is still being investigated by the Justice Department about "allegations that it stole millions of dollars from Indian-owned lands." Egan's adding that this is "an allegation that David Koch says is groundless," was not exactly calculated to soothe the aroused suspicions of the Washingtonian readers.

A comprehensive job. The only interesting fact Egan left out was the name of the satrap in charge of the CCR effort: long-time Kochian operative and former New York real estate mogul Howard S. ("Howie") Rich, veteran libertarian and owner of Laissez-Faire Books, an outfit fueled, at the beginning of Rich's purchase of Laissez-Faire, by money from David Koch's Libertarian Review Foundation.

Coming at the strategic moment—just one week before Election Day—the vivid picture of a phony grass-roots effort actually run and bankrolled by a possibly sleazy family of oil billionaires, was undoubtedly enough to disgust swing voters, and to tip the scale against term limits. Thus, the Kochtopus, from the early 80s days of a school choice initiative in Washington, D.C., to this latest fiasco, chalks up a virtually unbroken record of defeat at the polls.

What are the lessons of this latest floperoo, for the term limits movement, and for libertarian political action generally? First, don't worship the polls. The polls are not science; they're often wrong, Secondly, of course, the old but true bromide about not counting your chickens. But third, and most important: for Chrissake, the next time we get a grass-roots populist movement, make sure that it's *really* grass-roots, and not a front for a couple of eccentric oil billionaires. Because even if this family happens to be right on an issue, it's *not*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

populism, and now that the *New York Times* is on to them, this pseudo-populism is going to be discovered and highlighted again and again. Why don't the Koch brothers just go back to the oil business, and leave everyone alone? ●

The Dangerous Assault on Congress

by Llewellyn H. Rockwell, Jr.

Amidst "check-bouncing" that didn't cost the taxpayers a dime, neocon commentators are bashing our "ruling class of career legislators." That's what George Will calls Congress, as George Bush dons the purple.

We're supposed to be outraged over $5 haircuts, when the lowliest member of the president's staff is treated like sultan. The average Congressman is a nobody in comparison, as any Washington party-giver can testify.

Yes, Congressmen get $3 carwashes. But at least they drive their own cars. The public never gets to see, or express their opinions about, lush living by the president's staff, his cabinet and agency appointees, or their armies of bureaucrats with lifetime jobs—speaking of perks.

Congress bows to the imperial executive far too often. But when it does dare to question odoriferous nominees like Gates or Thomas, or wants Bush to obey the Constitution before massacring the Iraqis, we hear about Capitol Hill's peccadilloes, when the real scandal is executive subversion of our republic.

Neocons who want to expand the government in every other way gripe about Congress' budget, which is about 1/10th of a percent of federal outlays. "Big-government conservative" Jack Kemp's HUD loses that much in the concrete cracks. But who talks about cutting that wall-to-wall civil service?

Yes, Congressmen get $3 carwashes. But at least they drive their own cars.

President Bush wants to cut "bloated" Hill staffs. But given the size and intrusiveness of the executive, Congress must have sufficient staff, if only to throw a few roadblocks before the behemoth. Kemp complains that Congress won't appropriate all the billions he wants for HUD, and Congress *is* a millstone around the neck of the Bush spendocracy. This is supposed to be bad? (Note: legislative branch employment has not grown in *ten years*.)

The Founders, steeped in the English parliamentary tradition, knew that liberty is threatened by kings and dictators, not legislators. The progress of representative government, they knew, was the wresting of power from the executive. That's why they wrote the Constitution as they did.

Article I vests "all legislative power" in Congress. It alone has power to: raise and spend taxes, borrow; regulate commerce; coin money; declare war; create federal courts and determine their jurisdiction; and establish an army and navy.

Article II admonishes the president to carry out the laws passed by Congress. He may veto those laws, but his veto can be overridden by Congress. The president may also recommend legislation, but as *National Review*'s Frank S. Meyer wrote, "Recommend means *recommend*, not demand, not pressure, not go to the people to arouse demagogic pressures against the Congress."

The president is also commander-in-chief of the armed forces; he may appoint ambassadors and judges, with the consent of the Senate; and he may negotiate treaties, with the consent of the Senate.

There is no mention of foreign policy as a presidential entitlement. His role as head of the armed forces has a foreign policy dimension only

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

when Congress declares war (the Founders not having envisioned Uncle Sam as the enforcer of global democracy).

Article III gives Congress the sole power to establish (or abolish) all federal courts except the Supreme Court. Congress can also—except in certain narrow areas such as lawsuits between states—decide the jurisdiction of the Supreme Court and all other federal courts.

> "The essence of totalitariansim is the destruction of the parliamentary or legislative branch of government."

Congress could, for example, take abortion cases out of the hands of the federal courts, and leave this question to the states where it belongs. That such a simple and Constitutional solution to *Roe v. Wade* occurs to no one is ample proof of a shriveled Congress and a swollen presidency (and judiciary).

The Founding Fathers also gave to the Congress the power to impeach and convict officials of the other two branches, and they meant it to be a threat. As George Mason told the Constitutional Convention, "No point is of more importance than that the right of impeachment should be continued. Shall any man be above Justice? Above all, shall that man be above it, who can commit the most extensive injustice?" Benjamin Franklin pointed out that without impeachment, the only way to get rid of bad presidents was assassination.

To argue that the Framers made Congress paramount is not to defend our present Representatives and Senators, but they do comprise the branch of government closest to the people. When the people demanded it, Congress shut down the House bank, paid the bills at the House restaurant, and stopped fixing parking tickets. The Sununu affair didn't knock one hubcap off the White House limo armada.

The Clark Cliffords of the world can sway presidents and courts. Working Americans cannot. That's why no believer in a limited constitutional republic should join the anti-Congress bandwagon—over check cashing at the Sergeant at Arms, raunchy Senate hearings, or any other minimisstep.

We should not support limited terms for Congress—another executive power grab—unless the civil service and judiciary has limited tenure too. Nor should Congress be made subject to EEOC and similar regulations, which as Senator Warren Rudman (R-NH) pointed out, violate the separation of powers. A president might hesitate to use the IRS on his congressional opponents, but not—in today's America—the race police. The mere threat could win legislative battles, and no one would dare protest.

Congress is an institutional bulwark of our freedom. Its enemies would, as Frank Meyer said, "substitute the uncontrolled power of a President elected with a specious quadrennial 'mandate.'" Already, the *Wall Street Journal* has suggested referenda for future Supreme Court nominees, buttressing the trend towards plebiscitary dictatorship.

"The essence of totalitarianism," said the House Committee on UnAmerican Activities in 1938, "is the destruction of the parliamentary or legislative branch of government." If we want to recover our freedom—so diminished in this century by despotic presidents and judges—we must curb the executive and the judiciary. Congress, imperfect as it is, is our only weapon in this fight, and we ought to defend it. ●

P.C. Watch

by L.H.R., Jr.

Canadian Club

Canada is in an uproar over "sexism and racism" in the parliament. "A sickness in the Commons," the *Montreal Gazette* called it. "Neanderthals" should be expelled, said the Liberal parliamentary

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

leader. But Conservative leader (and prime minister) Brian Mulrooney refused to dump the two Conservative MPs, one of whom called a female socialist MP a "fishwife," and the other who told the only black member of parliament, also a socialist, to "Shut up, Sambo."

Two Regiments

Several months ago, Texas A&M disbanded the most elite unit in its corps of cadets, the Parsons' Mounted Cavalry. The reason? A female cadet, who had forced her way into the all-male PMC through affirmative action, claimed that the male cadets had beaten her up. The charges were, of course, untrue, and she has now admitted that she made them up. Meanwhile, three cadets she had earlier accused of "verbal harassment," *i.e.*, being mean to her, and who were expelled as a result, are not being readmitted.

Cartooncentrism

Berk Breathed, author of the *Outland* cartoon strip, is being denounced for being politically incorrect. In a recent Sunday strip, a black girl reads her school essay in class, "The True Story of America," to the comments of a bug:

GIRL:
"We start with Columbus, who was actually a black man named Nobutu Bubu. He built his ships from the African baobab tree . . ."

COCKROACH:
"Displacing generations of baobab cockroaches!"
GIRL:
"All the while inspired by the grandeur of the African pyramids . . ."
COCKROACH:
"Which were inspired by termite mounds!"
GIRL:
"What is this?"
COCKROACH:
"Cockrocentrism."
GIRL:
Let's stick with the truth, shall we?"
COCKROACH:
"Of course."
GIRL:
"Thus the brother Columbus sailed . . ."
COCKROACH:
"With head lice!"

You Tarzan, Me Ape

Columnist Joel Achenbach has been denounced by the Gorilla Foundation of ritzy Woodside, California, for saying gorillas can't talk. "Tool use, tool making, and recognizing words as symbols, were formerly assumed to be uniquely human," says gorilla president Francine Patterson, who was incensed by Achenbach's line, "They're a bunch of animals!" Try inserting "'women,' or 'Jews' into that sentence," she said, "and see how it sounds!"

Was Yankel Rosenbaum allowed to bleed to death as a continuation of the black attacks on Jews?

A Crown Heights Sequel

There is some evidence that Yankel Rosenbaum, the Australian rabbinical student stabbed by a gang of young black men in "retaliation" for the Crown Heights death of a black child in an automobile accident (see 11/91 *RRR*), was allowed to bleed to death by black medical personnel at Kings County Hospital, one of those socialized medical facilities we're all going to have. The city government will only admit that he received "inadequate care."

A Story With Bite

The white assistant principal of an Atlanta elementary school is in big trouble. When she suspended a black child for attacking and beating up a white child, the black child's mother said the much smaller white kid had started the whole thing by biting her son on the top of his head. "Nonsense," said the school administrator, "no white child would bite a black child on the top of his head!"

Hurrah for Jesse

When the Senate acceded to George Bush's

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

request to create another bloated cabinet bureaucracy, this one for that ultimately fallacious aggregation, "the environment," only one senator opposed it: Jesse Helms (R-N.C.). After an eloquent speech in which he listed a series of EPA crimes, Helms asked why these people should be promoted. "We need less government bureaucracy, not more." *No one else* agreed.

Two Standards

In the armed forces, reports retired colonel David Hackworth, "double standards" for judging strength and stamina "have become pervasive. At West Point, for example, women practice handling an M-14 rifle with a spring modified to make it easier for them. The obstacle course has been eased for them. Running shoes are used because female cadets were getting too many foot injuries running in Army boots.

"Army physical fitness standards call for men to be able to do 80 push-ups; women must do 56." Young men must "run two miles in 17 minutes, 55 seconds; women are allowed 22 minutes, 14 seconds. Marine men must climb 20 feet of rope in 30 seconds; Marine women are given 50 seconds. 'We are told to evaluate women on a different standard than men,'" an Air Force trainer told Hackworth. "'A woman who is adequate is rated as outstanding, or who is unacceptable is rated acceptable . . .. We lie to the public, we lie to the Air Force, and most of all we lie to each other.'"

"A woman who is adequate is rated as outstanding, or who is unacceptable is rated acceptable.... We lie to the public, we lie to the Air Force, and most of all we lie to each other."

Law in D.C.

As a law student, Timothy Maguire was almost expelled from Georgetown for "revealing" what everyone knows: admission standards are much lower for black students than white.

Recently, Maguire was invited to the University of the District of Columbia Law School by its Federalist Society to lecture on affirmative action. The Black Law Students Association denounced this, saying Maguire's speech would "take away from our ability to function in a positive environment." The U.D.C. law dean agreed, noting that two professors who helped defend Maguire last year are already "on a kind of probation" for that un-P.C. act.

Tomahawk Chop

Atlanta was in a P.C. tizzy during the playoffs and World Series over the tomahawk chop, the fake Indian cheer for the Atlanta Braves that Indians called insensitive. The hyper-P.C. *Atlanta Constitution* at first agreed with the Indians, likening the present situation to a team called the "Atlanta Jews. What if fans came to the stadium shouting 'Oy veh' while wearing yarmulkes and swinging foam-rubber Torahs?" But massive pro-Braves reader response made the paper back down. Eventually, it even made fun of Jane Fonda for altering the chop into a politically correct aerobic wave. But I think that maybe the critics had a point. The Atlanta ball team does need a name more in keeping with the character of that city. How about the Welfare Clients?

Look It Up

The new Random House *Webster's Collegiate Dictionary* boasts the following entries: "waitron" (a "non-sexist" word for waiter and waitress); "womyn"; and "herstory" (female [femail?] history.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

P.C. Glee

After attending a concert, Bill Green, the left-wing Republican congressman from Manhattan, wrote Colin Powell that "I was disturbed by the sexual segregation of the West Point singing groups that occurred last night, and have to ask what larger sex discrimination issues remain at our service academies." Powell promised that "the Army is fixing it."

U.S.N. Love Boat

We all heard about the *Arcadia*, the Navy ship dubbed the Love Boat because 10% of its female sailors got pregnant during the Gulf War. But that was actually low. On average, 18% of women sailors get pregnant each year.

Presumed Dangerous

The *Washington Post* reports on another racist outrage: white adults are afraid of young black males. They see us "as a bunch of hoodlums," said Harry Mayo. "You can sense it from the way their act toward you. You can tell they don't trust you."

Liberal psychologists say this makes the young men "fulfill the worst of people's expectations." Mike, 16 and on parole for robbery, said whites who "stereotype young black males can 'go to Hell.' He describes how empowered he feels when he deliberately intimidates adults. If you look at them hard, they back off. It makes you feel superior. It makes you feel bold."

> "They be mad at white people. They be mad at where they live. They be mad because their families are on welfare. They be mad because they are forced to sell drugs to get money."

"Mike said that he and others have, for fun, put their hands under baggy shirts to make it appear they have a gun. Mike said he once did that to a woman and told her to freeze." She "'ran away like she was going to be shot.'"

This is "playing chicken with the stereotype," said a psychologist. But the stereotype is "difficult to change" because white adults "can point to a rational basis for their fears."

Yes, "some of us are just plain ruthless," says Mike. "They be mad at white people. They be mad at where they live. They be mad because their families are on welfare. They be mad because they are forced to sell drugs to get money. People be asking why we selling drugs. Why don't they ask why we don't got a job?"

In fact, says the *Post*, a "complex web of racism, poverty, and other social problems contributes to a higher than average incidence of violence among young black men."

Moochie Norris, 18, attempts to differentiate himself by "wearing dreadlocks encircled with colorful headbands" and "shoelaces tied around his elbows and wrists." Yet store owners and strangers still "eye him with suspicion."

The Truman Doctrine

Harry Truman "expressed strong racist opinions before, during, and after his presidency," says historian William Leuchtenburg of the University of North Carolina. "I think one man is just as good as another," Truman wrote in 1911 to his future wife, Bess, "so long as he's honest and decent and not a nigger or a Chinaman. Uncle Will says that the Lord made a white man from dust, a nigger from mud, then He threw up what was left and it came down a Chinaman." Uncle Will "does hate Chinese and Japs. So do I. It is race prejudice I guess. But I am strongly of the opinion Negroes ought to be in Africa, yellow men in Asia, and white men in Europe and America."

More than 25 years later, then Senator Truman wrote to

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

his daughter Margaret that the waiters at the White House were "an army of coons." In 1939, he told his wife of a "nigger picnic day." In another letter to his daughter, he wrote: "What a pity a white man like Lee had to surrender to old Grant."

Although he integrated the armed forces, Truman had an "abiding belief in white supremacy," says Leuchtenburg. He opposed the 1960s sit-ins as communist inspired, criticized Northerners who went on "Freedom Rides" as meddlers, and called Martin Luther King a troublemaker.

U.K. P.C.

An English mother who had her five-year-old daughter transferred from an Asian elementary school to a white one has been branded a racist by Britain's Campaign for Racial Equality, which is also suing school administrators for violating the Race Relations Act. The woman denies that her motivation was racist, saying that she simply wanted her daughter to "learn to read, write, and speak her own language before she learns Hindi." That itself is a racist statement, said the Campaign for Racial Equality.

Paper Correctness

"Someone changed the recycling sign [at the entrance to Harvard Divinity School] from 'colored paper' to 'paper of color," wrote the school's recycling coordinator, Ellen Jennings. "If this was meant as a joke, I don't think it was funny. If it was done because of a legitimate concern about language usage, please let me know by leaving a note in my mailbox." The bins are now labeled, reports *Harper's*, "bleached paper and dyed paper."

When's the Next Flight to Vilnius?

From the "*Harper's* Index": "Percentage of Lithuanians who say that their country's health-care system should be run mainly by the government: 33. Percentage of Americans who say that their coutry's health-care system should be: 69."

Wilt?

In his new autobiography, *The View From Above*, basketball star Wilt Chamberlain claims to have had sex with 20,000 women. "Yes, that's correct, *twenty thousand different ladies*," he writes. "At my age, that equals out to having sex with 1.2 women a day, every day since I was fifteen years old." There's nothing wrong, he says, "with a short relationship if it's quality time, respectful time."

Thomas is a dim bulb, a perjurer, a racial racketeer, and a neocon.

Duking It Out

In a recent column, Jeffrey Hart compares David Duke unfavorably to Whittaker Chambers. For all his faults, however, Duke was never a Soviet spy and a traitor to his country, as Chambers was. Yes, Chambers repented . . . after breaking up with Alger Hiss. And yes, he wrote an eloquent if ultimately wrongheaded book. But for years, Whittaker Chambers did his best to make America part of the Gulag. Duke's sins hardly match that.

Courting Clarence II

Despite Murray's eloquent lead essay, I take a different view of the Thomas affair. He is a dimbulb, a perjurer, a racial racketeer, and a neocon. He is also, according to *Newsweek's* report of the list of his video rentals, a porno lover. That shouldn't be a crime, but it does give us a look into his moral character, which ought to be important in a judge.

My own essay on Thomas is in the January *Chronicles*, but I'll simply say here that his effect on the right has already been deleterious, *i.e.* Bush's endorsement of the 1991 civil rights act and the

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Wall Street Journal's Helen Gurley Brown article endorsing fornication and adultery in the office.

With the possible exception of *Roe v. Wade*, Thomas will be another Thurgood Marshall. His opinions may be ghostwritten by a Jaffaite lawyer rather than a regular liberal, but that is a slight improvement only if we ignore the Thomasization of the conservative movement. Even fewer will now have the courage to oppose the anti-property scam-a-rama called civil rights, thanks to Thomas.

Thomas' opinions may be ghostwritten by a Jaffaite lawyer rather than a regular liberal, but that is a slight improvement only if we ignore the Thomasization of the conservative movement.

Juan More

One of Clarence Thomas' biggest boosters was the *Washington Post*'s left-neocon columnist, Juan Williams. Williams' prominently placed *Post* defense of Thomas was used by the Republican senators to great effect. Now we know the truth about Williams himself, if not his pal Thomas: women at the *Post* consider him a scoundrel. Sexual harassment shouldn't be illegal, on First Amendment and other grounds, but it is wrong. Williams made extremely crude sexual remarks and passes all over the place. He apologized, then lied about what happened to *USA Today*, then apologized again.

Jesse II

Jesse Helms tried once again to impede the decadent National Endowment for the Arts, but to no avail. Through a "corn for porn" deal, the Bush administration agreed to block higher grazing fee's on Western lands so Senators would fund the NEA with no restrictions.

During the debate, for reasons no one could quite figure out, Robert Byrd (D-W.Va.) talked about Theodora, who before she married Emperor Justinian, "led a life of harlotry." Often she would lie naked "on stage and spread herself out" so "trained geese could peck barley seed off her." "To my knowledge," said Helms, "she didn't get an NEA grant."

"Censorship is not now and has never been the issue," said Helms. "Why are tax-payers compelled to fund a decadent artistic elite? If some guy wants to scrawl dirty words on a men's room wall, let him, as long as he supplies the crayon and the wall." ●

Rothbard-Rockwell Report
Center for Libertarian Studies
P.O. Box 4091, Burlingame, CA 94011

Non-Profit Org.
U.S. Postage
PAID
San Francisco, CA
Permit No. 1987

The Rothbard-Rockwell Report is published by the Center for Libertarian Studies, Post Office Box 4091, Burlingame, California 94011. (800) 325-7257. *Editors:* Murray N. Rothbard and Llewellyn H. Rockwell, Jr. *Contributing Editor:* Sarah Barton, Joseph Sobran, "Frank W. Taussig." *Publisher:* Burton S. Blumert. *Managing Editor:* Sybil Regan. Subscription: $49 for 12 issues. Copyright ©1991 by the Center for Libertarian Studies. All rights reserved. Unauthorized reproduction of this newsletter or its contents by xerography, facsimile, or any other means is illegal.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED